

**ORDINANCE NO. 2001-4**

**TOWN OF BROOKLYN  
GREEN LAKE COUNTY, WISCONSIN**

**AN ORDINANCE TO RESTRICT THE USE OF HOLDING TANKS  
FOR PRIVATE ONSITE WASTEWATER TREATMENT  
SYSTEMS (POWTS) WITHIN THE TOWN.**

**WHEREAS**, the Town Board of the Town of Brooklyn has authority under its general police powers set forth in Wisconsin State Statutes §60.22 (1), to act for the good order of the Town and for the health, safety and welfare of the public; and may carry out its powers by regulation and suppression; and

**WHEREAS**, State of Wisconsin Administrative Code, Comm 83.22(1), Comm 83.61(5), Comm 84.10(2) and Comm 84.10(3) recognize the use of holding tanks as an acceptable method and technology to be used in the design of onsite wastewater treatment systems; and

**WHEREAS**, Green Lake County Private Sewage System Ordinance #225-80, Section 14.0 Holding Tanks, allows for the installation of holding tanks if:

- A. No other private sewage system, permitted by Wisconsin Administrative Code, Comm 83, may be installed on the subject property;
- B. The subject property is located within an existing sanitary district or municipal sewer district and the district provides written verification that the subject property will be served by its public sewer system within five (5) years of the date of sanitary permit issuance;
- C. The use of the subject property has a design wastewater flow of less than one hundred fifty (150) gallons per day; and

**WHEREAS**, inappropriately maintained holding tanks can be detrimental to the environment and subsequently, the public health, safety and welfare of the citizens of the Town of Brooklyn; and

**WHEREAS**, the Town Board, under the authority granted in State of Wisconsin Administrative Code, Comm 81.01(157) and Comm 83.32(2) can prohibit or limit the installation of holding tanks;

**NOW, THEREFORE**, the Town Board of the Town of Brooklyn prohibits the installation of holding tanks as the private onsite wastewater treatment system (POWTS) for all new construction, except for construction on lots of record as of the date of this Ordinance.

**EXEMPTIONS.**

This ordinance does not prohibit the use of holding tanks for existing construction, where no other private sewage system is permitted by State of Wisconsin Administrative Code, Comm 83.

**SEVERABILITY.**

If any section of this Ordinance is found to be unconstitutional or otherwise invalid, the validity of the remaining sections shall not be affected.

**EFFECTIVE DATE**

This Ordinance shall become effective upon adoption and publication or posting, as provided by law.

**ADOPTION**

The above and foregoing Ordinance was duly adopted by the Town Board of the Town of Brooklyn, at a meeting held on the 12th day of June, 2001 by a vote of 3-0.

TOWN OF BROOKLYN

By: \_\_\_\_\_ 6/12/01  
Roger Ladwig Date  
Chairperson

Attest: \_\_\_\_\_ 6/12/01  
Marian Mildebrandt Date  
Clerk